

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

FCS CAPITAL LLC, et al., <i>Plaintiffs,</i>	:	CIVIL ACTION
	:	
	:	
v.	:	
	:	
JOSHUA L THOMAS, ESQUIRE, <i>Defendant.</i>	:	NO. 20-cv-05580

NOTICE

AND NOW, this 4th day of January 2021, it is **ORDERED** that an Initial Pretrial Conference (Rule 16) is scheduled, **via telephone**, for Tuesday, January 19, 2021 at 10:30 a.m. before the Hon. Chad F. Kenney.

Counsel is directed to call into the conference a few minutes before it is to start. The dial-in number is 888-398-2342 and the access code is 7624030.

It is furthered **ORDERED**:

1. The discovery period, regardless of any pending motion(s), begins with this Order and the parties shall exchange written discovery requests immediately;
2. The parties shall exchange the required initial disclosures under Fed. R. Civ. P. 26(a) on or before **January 12, 2021**.

INSURANCE COVERAGE:

- a. As required by Rule 26(a)(1)(A)(iv), Defendant shall disclose to Plaintiffs' counsel before or during the parties' 26(f) conference whether he was covered by malpractice insurance during the relevant time period alleged in the Complaint. If Defendant was covered by malpractice insurance, he shall identify the name of the carrier, policy number and contact information, and provide to Plaintiffs for

inspection and copying any such agreement. Fed. R. Civ. P. 26(a)(1)(A)(iv).

- b. If Defendant was not covered, was denied coverage, or coverage applicability is still being evaluated, he shall affirmatively state so. He shall also identify the insurance company that denied him coverage, or that is evaluating whether there is coverage, and the insurance company, the policy number and the claim number assigned. All of Defendant's insurance coverage information, or lack of coverage information, must be in writing and contained within the 26(f) report submitted to this Court in preparation for the Rule 16 conference.**
3. In addition, after consultation with all counsel for all parties, Plaintiff's counsel shall complete and file with the Clerk the required Report of the Rule 26(f) Meeting incorporating, at a minimum, all the information required in this Court's form Rule 26(f) Report (found on the Court's website) on or before **January 14, 2021**;
4. Lead trial counsel is required to appear at the Rule 16 Conference. If lead counsel is absolutely unable to attend, the conference will be rescheduled;
5. Lead trial counsel must be prepared to speak on every subject, including settlement, liability, remedies, and damages and have authority from their clients to do so; and
6. Counsel are instructed to refer to Judge Kenney's Practices and Procedures which are found at: http://www.paed.uscourts.gov/judges-info/district-court-judges/chad_f_kenney.

January 4, 2021

/s/ Chad F. Kenney

DATE

CHAD F. KENNEY, JUDGE